

REMARKS

Upon entry of the amendment, claims 145-165 will be pending. New claim 165 has been added. Support for claim 165 is found throughout the specification as filed and in original claim 146. This amendment adds no new matter to the present application.

Applicants thank the Examiner for conducting a brief telephone conference on July 12, 2004, regarding this restriction requirement. Applicants' representative briefly presented to the Examiner reasons why Applicants' representative believes the present restriction requirement is improper. The Examiner instructed applicants' representative to present reasons for traversal in this Reply.

Responsive to the Action mailed on April 19, 2004, applicants elect the invention of Group I, claims 145-164, drawn to a polypeptide comprising SEQ ID NO: 77. This election is made with traverse for reasons discussed below.

Applicants believe the current restriction requirement is improper because it implies that the various claimed sequence listings are mutually exclusive. In fact, the polypeptides recited in the claims of Groups II, III, IV, and V are species of the polypeptides recited in the claims of Group I. Accordingly, if elected Group I is patentable, then Groups II-V are also patentable. To elaborate this point, Group I, according to the restriction requirement, is directed to a polypeptide comprising SEQ ID NO:77 (i.e., $PX_1IX_2X_3T$, wherein X_1 is S or R, X_2 is E, R, or Q, and wherein X_3 is I or F). Groups II, III, IV, and V are drawn to a polypeptide comprising SEQ ID NOs: 5, 6, 7, and 71, respectively. All polypeptides comprising SEQ ID NOs: 5, 6, 7, or 71 are included within the class of polypeptides comprising the amino acid sequence of SEQ ID NO:77. Therefore, applicants submit that the polypeptides recited in the claims of Groups II-V are a subset of the polypeptides recited in the claims of Group I.

Should the Examiner impose a requirement to elect a single species of elected Group I, applicants would respond by designating SEQ ID NO:5 as the species for initial examination of elected Group I. All claims reading on that species as well as a reasonable number of other species must then be examined. Claims 145-165 all read on SEQ ID NO:5.

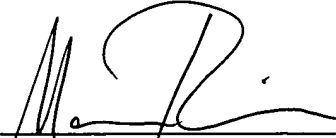
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Enclosed is a \$475 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 10861-004002.

Respectfully submitted,

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